IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

Bail Appl..No. 1298 of 2007()

CC.870/2005 of C.J.M.,KASARAGOD
CRIME NO.334/2002 OF KASARAGOD POLICE STATION

.....

PETITIONER/ACCUSED

HANEEFA @ CHENNI HANEEFA, S/O. ABDULL,
MOGRAL PUTHUR V, KASARAGOD.

BY ADV. SRI.T.B.SHAJIMON

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP. BY
SHO, KASARAGOD POLICE STATION, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1298/2007

Dated this 5th day of March, 2007

O R D E R

The petitioner who is the fourth accused in Crime No.334/2002 of Kasargod Police Station for offences punishable under Sections 143, 147, 148, 341, 323, 324 and 326 IPC read with Section 149 IPC seeks anticipatory bail.

2. Consequent on the non appearance of the petitioner in C.C.No.237/2002 on the file of the C.J.M, Kasaragod, the case against him was split up and transferred to the long pending register as L.P.C.No.32/2006 and re-numbered as C.C.No.870/2005. Admittedly, non bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a Court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed

of by the learned Magistrate preferably on the same day on which it is filed.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs